



MEDICAL NEWS-PAPER;



THE DOCTOR AND THE PHYSICIAN.

EDITED BY ELIAS SMITH, PHYSICIAN, No. 16, PRINCE STREET.

"The Lord hath created Medicines out of the Earth:—With such doth he heal Men, and toketh away their PAINS." ECCLES. XXXVIII. 4, 7.

VOL. I.

BOSTON, TUESDAY, FEBRUARY 15, 1824.

No. 26.

An attempt to infringe upon the Constitution of the United States defeated: or real republicanism.

From the Boston Patriot of Dec. 23, 1824.

"The Governor of Pennsylvania has refused his assent to a bill passed at the last session of the Legislature, entitled an act to regulate the practice of physic and surgery—on the ground that the provisions it contains, prohibiting the practice of medicine without license from the university, would legalize rather than suppress *quackery*; as interfering with the undoubted rights of citizens, secured by the constitution and the laws; as creating a power of a dangerous nature, liable to great abuse, and exposing to great temptation; and pronouncing a sentence on the character and talents of a practitioner subject to no appeal."

It is not at all strange that the members of the *medical college* in Pennsylvania, should petition for an unconstitutional law respecting themselves. They wish for exclusive privileges, or to be a *privileged class*, having separate laws and regulations, which other citizens are not allowed. Could they monopolize the medical business, the time would soon come when the common people would be trampled

upon by these would be *nobility*; whilst no one would dare peep or move the wing. Kings and clergymen have been thus privileged, to the ruin of nations, and now the Pennsylvania doctors are petitioning for the same.

The Boston Patriot says, "Five hundred students are said to be in the medical department of the university at Philadelphia, attending the winter lectures." This in some measure accounts for the bill which the governor will not consent to become a law. Who ever heard of such a swarm of doctors before? Almost as numerous as Beecher wishes the missionaries!

Let us notice a few particulars in the governor's objection to the bill.

1. Such a bill is *unconstitutional*. The constitution says, all men are born free & equal, and have certain natural and unalienable rights, such as acquiring property, with life and liberty. It appears that the bill was designed to cut off this privilege, unless the practitioner is licensed by the medical college in Philadelphia. Such a bill, it is said, once passed in England; a law was made that no person in London nor within six miles, should administer medicine to the sick, unless licens-

ed by the college of physicians.—This law never prevented others, and such a law never can. Any man in the United States has not only a natural right, but a constitutional right to employ at pleasure, any person to administer medicine to himself or family; and any man has a natural and constitutional right to administer, when requested, such medicine as he judges best to cure the sick; the government of his country upholds him in it, and no man has a right to call him to an account unless he administers poison to the sick.

This attempt for *unconstitutional* power will be the final overthrow of the *doctors* in this country. They are digging a *pit* into which they will finally fall. Why do not other men strive for such a law? The reason is, because they find employment and support in proportion as they are useful, and this is all that any ought to have.

This desire for unrighteous power has sunk the clergy to a constitutional level with others in this country. They were once a privileged class, and as such the people were obliged to support them, whether they were profited by them or not. The time once was in Massachusetts, when no man

could preach in a town, unless he had the clergyman's consent, without being exposed to be publicly whipped. No other ministers were allowed to solemnize marriages but themselves. Now things are very different. Any regularly ordained minister of any denomination may marry according to law. The clergy have brought that about which they meant to prevent. The doctors are laying a foundation to bring on themselves the same calamity.

2. The governor of Pennsylvania states, "that the provisions it [the bill] contains, prohibiting the practice of medicine without license from the *university*, would legalize rather than suppress QUACKERY."

Where is the honest useful man, who wishes, and petitions that a law shall be made to exclude all others from the business he is engaged in? Should a company of merchants petition that none should engage in their business, unless they had serv'd a regular apprenticeship at the business, and were licensed by them, what would be the consequence? Would it not at once be said, the most enterprising might and would be excluded? Some of our first, and richest merchants were brought up to some other business. Men are made for statesmen, merchants, ministers and physicians. All others are but artificial.

Making men exclusive physicians, is making an hot-bed for quacks. If any ignorant fellow can become a member of a medical society, he is licensed to practice, and is a doctor according to law.—I was told of a young man who had a brother, a doctor of a medical society. The young man broke his leg, and was not able to labor. His brother sent for him to take care of his sheep. Soon after, he was studying physic; next, he was called doctor, became a member of the medical society, married a rich

man's daughter, had a horse and chaise, put up three or four signs, on his door, side of his house, and on the post of his gate, and was soon in business, without the tedious course of a college education, and a long study of such books as learned doctors are said to read.

What was called "*benefit of clergy*," laid the foundation for ignorance, wickedness, and almost every evil under the sun. If a man was admitted a member of this "*privileged ecclesiastical class*," it made no difference whether he was ignorant or learned. He was a *clergyman*, a *reverend clergyman*, and that was enough. The time was, when, if a man could write his name, he was considered a clergyman, and exempt from punishment by common law. In the days of Judge Hale, it is said, that no man could have the benefit of clergy, unless he could read the Lord's prayer. A criminal was brought before the Judge, who plead the *benefit of clergy*. The Judge said, he doubted his being a clergyman, and if he was, he could read the Lord's prayer. As he could not read it, the bishop who undertook for him, contrived a plan to deceive the Judge; which was to stand behind the criminal, and whisper in his ear what to say. At the time appointed, they came into court, the pretended clergyman held the book, with one thumb on the line the bishop was to read. The bishop had taught to speak aloud what he whispered in his ear. The bishop began, whispering, "Our Father," the clergyman repeated aloud, "Our Father." The bishop then whispered, "which art in heaven," the man spake, "which art in heaven." By this time the bishop came where the man's thumb was on the line. He, wishing the man to remove it, whispered, "take away your thumb," the clergyman cried out, "*take away your thumb!*"—This set the whole court into a fit

of laughter; and was the means of bringing the criminal to that punishment which his wickedness merited. This was legalized ecclesiastical *quackery*.

Laws to deprive men from being useful in that business which the God of Nature has made them for, are not only contrary to the constitution of our country, but contrary to the general good of the whole, and are parts of the unjust and cruel powers which this nation have declared themselves independent of; and in addition to this, are calculated to make *quacks* by law, and to shut out from the community men of the first rate abilities, because they have too much knowledge & independence to be shackled by unconstitutional and unjust laws and rules.

It is not long since the medical society in Boston (if I am rightly informed,) introduced a bill into the General Court, that apothecaries should be allowed to prepare medicines only as the doctors directed. The apothecaries remonstrated against it, and several numbers were published in the *Statesman*, shewing the impropriety of such a law, on account of the ignorance of some of the doctors, who scarcely knew many medicines after they were prepared. This laid the subject at rest for the present. Volumes might be written on this subject, and the history of all ages shews the impropriety of privileged classes in any case whatever.

This good understanding and boldness of the Governor of Pennsylvania, ought to be noticed, and he held in esteem, according to what this noble piece of conduct deserves.

Massachusetts Annual Feast.

It is proposed, at the time of meeting, a law or resolve should be passed, so that in future, instead of appointing an annual thanksgiving

ing, the Governor shall, by and with the advice of council, appoint a day near the close of every year, to be called the Massachusetts annual feast, to be observed by the inhabitants generally, in which it is recommended to them to enjoy the good of their food, the fruits of their labor, and the comfort of their friends, so far as it may be done within the bounds of temperance, peace, and the general good of the community.

This is about the amount of the day at the present time. Let the name agree with the thing, and there would be no misunderstanding among the people on this subject.

Man Stealing.

VIOLATION OF THE GRAVE.

James Wilson, Jr. of Acworth, has been arrested at Castleton, Vt. brought back to Acworth, & placed under bonds of \$2000, with four sureties of \$1000 each, for his appearance at the Supreme Court in May, to answer to the charge of carrying off, for dissection, the body of Mr. Bazaleel Beckwith, as mentioned in our last. His accomplice, another of the Castleton students, has absconded.

N. H. Sentinel.

Still more Wonderful!

Five hundred are said to be in the medical department of the University at Philadelphia, attending the winter lectures.

Boston Patriot.

Singular Translation.

Mr. Wakefield, in his translation of the New Testament, renders the passage in Revelation, chap. xxii. ver. 15, thus—"But without are the dogs and the poisoners." In the common translation it reads as follows—"But without are dogs and sorcerers." To know who are

meant by the dogs, read Isaiah lvi. 10, 11, 12. Who are the poisoners? Surely such as give poison to others, or who poison themselves. John gives a description of the new Jerusalem, or gospel dispensation. Such, the dogs and poisoners, are not in that government, and as such cannot enter in, until they are washed and become better men.

PROPOSAL

FOR PUBLISHING BY SUBSCRIPTION,

A PERIODICAL WORK, ENTITLED
The Religious Physician and Medical Reformer.

BY ELIAS SMITH, OF BOSTON.

Conditions.—To be published the first of every month in a pamphlet form of 24 pages each number, (12mo) at one dollar per volume, to be paid when the first number is issued. Twelve numbers to make a volume.

To be printed on good paper and a fair type, the first number to be published when 200 subscribers are obtained.

Postage to be paid by subscribers, and forwarded to every part of the United States, where conveyance is practicable. Those who subscribe, or are accountable for seven volumes, to receive an eighth free.

This work is to contain such religious and medical information as shall be judged useful to a people under a republican government, without any partiality to any sect or party.

All useful communications to be attended to, according to their real merit.

Subscriptions to be returned to Elias Smith, No. 16 Prince Street, Boston, as soon as is convenient.

It is the sincere request of the Editor of the Medical Newspaper, that the present subscribers for that, should become subscribers for the Religious Physician and Medi-

cal Reformer. When the first number is published, it will be sent to all, (excepting such as have signified their intention to stop at the close of the first volume of the Medical Newspaper.) Those who do not wish to become subscribers for the Religious Physician, are requested to return it to the Editor, done up in the same form it is put to them. Those who do not return it before the second number is published, will be considered as subscribers, according to the above proposal.

Fashionable.

The greater part of mankind are governed more by *fashion* or *custom*, than by propriety. In medicine, custom bears a great sway. Whatever is customary is recommended, and done, whether there is any propriety in it or not. One prevailing custom, appears to me the most absurd; that is, the practice of opening a dead man, to know what made him die. Did they know what was the difficulty before he died? If so, why did they open him after he was dead? After opening one, do they know any better what to do for the next! I think not. *Think on these things.*

Subscribers, who wish for any number to complete the volume, may have them by applying to the Editor.

The Medical Newspaper, in volumes, are kept for sale at No. 16 Prince street. Orders for them, from any part of the country, and for medicine, will be punctually attended to.

For sale as above, the *Medical Pocket Book, Family Physician*, and sick man's guide to health.—Price Five Dollars. A generous discount to those who buy by the half dozen, or dozen.

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Notice.—This number completes the volume. Those at a distance who have not paid, are requested to forward the money by mail or otherwise. Those in the city, will have their bills sent them.

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This ointment is useful for swellings, stiff joints, shrunk sinews, stiffness in the neck, pain and weakness in the back, and all kinds of rheumatic complaints; and is safe in all conditions, being composed wholly of vegetables.

Ohio Elm, pulverized, of a superior quality, for sale as above.

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